

TOWN OF NATICK

Meeting Notice

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A, Sections 18-25

Natick Finance Committee

PLACE OF MEETING

School Committee Meeting Room, 3rd
Floor, Natick Town Hall 13 East Central
St.

DAY, DATE AND TIME

September 19, 2019 at 7:00 PM

MEETING AGENDA

Posted: Friday, September 13, 2019 at 12:28 PM

1. **Call to Order**
2. **Announcements**
3. **Public Comments**
4. **Meeting Minutes**
 - a. Meeting Minutes for September 3, 5 & 10, 2019
5. **2019 Fall Town Meeting Warrant Articles - Public Hearing**
 - a. Article 30: Amend Zoning By-laws: Creative Production Use Zoning Amendment
 - b. Article 31: Amend Zoning Bylaws: Specialty Craft Fabrication Zoning Amendment
 - c. Article 32: Amend Zoning By-Laws: Downtown Business (DB) District Zoning Amendment
 - d. Article 33: Amend Zoning By-Laws: Non-Conforming Uses, Large Residential Additions Zoning Amendment
 - e. Article 34: Amend Zoning By-Laws: Alternate Uses In Residential Districts Zoning Amendment
 - f. Article 35: Amend Zoning Bylaw – Retail Marijuana Overlay Districts
6. **Committee and Sub-Committee Scheduling**
7. **Committee Discussion (for items not on the agenda)**
8. **Adjourn**

Meeting may be televised live and recorded by Natick Pegasus. Any times listed for specific agenda items are approximate and not binding. Please note the committee may take the items on this agenda out of order.

SUBMITTED BY

ITEM TITLE: Meeting Minutes for September 3, 5 & 10, 2019

ITEM SUMMARY:

ITEM TITLE: Article 30: Amend Zoning By-laws: Creative Production Use Zoning Amendment
ITEM SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
Updated Motion for Art 30	9/19/2019	Exhibit
Red Line Version	9/19/2019	Exhibit
Article 30 MOTION	9/15/2019	Exhibit
Article 30 Questionnaire	9/15/2019	Exhibit

AMEND ZONING BYLAWS: CREATIVE PRODUCTION USE ZONING AMENDMENT**WARRANT ARTICLE 30:**

To see if the Town will vote to amend the Zoning Bylaws to:

- 1) Add definitions for “Creative Production” to Article I, Section 200 of the Town of Natick Zoning Bylaw;
- 2) To determine which zoning district(s) such uses may be permitted By-Right or by Special Permit;
- 3) To determine intensity, dimensional and other regulations for such uses as may be permitted by right or by special permit and
- 4) To determine off-street parking standards and regulations for such uses as may be permitted By Right or by Special Permit;

or otherwise act thereon.

Purpose: The purpose of this article is to create a definition for “Creative Production” uses, and once defined determine a) what zoning districts such use is permitted by right, by site plan special permit or special permit and b) what intensity, dimensional, off-street parking and other regulations for such uses as may be permitted by right or by special permit.

MOTION

To see if the Town will vote to amend the Town of Natick Zoning By-Laws by:

1) In Article I, Section 200 – Definitions, add:

Creative Production: *Creation, production, manufacture, distribution, publishing, rehearsal, performance, broadcast, selling, or teaching of the visual arts, performing arts, applied arts, literature, heritage, media, music, information technology, communications media, or digital content & applications; or the invention, design, prototyping, fabrication, assembly, and packaging of ideas, concepts, theories or parts as intermediate production materials for further processing or as consumer goods for sale.*

2a) In Section III-A.2 Use Regulations schedule:

Insert new uses 38C to appear on the Use Table as follows:

BUSINESS USES	RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H
38C. Creative Production, where all noise, smoke, dust, odor, vibration or similar objectionable features are confined to the premises.	O	O	O	O	O	A	(*)	A	A	A	O

2b) In Section III-C (3) [HMII], insert new use to Uses Allowed Under an Overall Site Plan, as follows:

n. Creative Production, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises to the extent feasible.

2c) In Section III-D (1) [LC], insert new use to Permitted Uses, as follows:

s. Creative Production, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises to the extent feasible.

2d) In Section III-E (2a) [DMU], insert new use to Permitted Uses, as follows:

28. Creative Production, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises to the extent feasible.

2f) In Section III-G (1) [HMIII], insert new use to Permitted Uses, Site Plan Review, as follows:

j. Creative Production, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises to the extent feasible.

3) In Section V-D (3) Off-Street Parking and Loading Requirements add:

w) Creative Production – 1 space for every five hundred (500) square feet of gross floor area.

AMEND ZONING BYLAWS: CREATIVE PRODUCTION USE ZONING AMENDMENT**WARRANT ARTICLE 30:**

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- 1) Add definitions for “Creative Production” to Article I, Section 200 of the Town of Natick Zoning Bylaw;
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- 3) To determine intensity, dimensional and other regulations for such uses as may be permitted by right or by special permit and
- 4) To determine off-street parking standards and regulations for such uses as may be permitted By Right or by Special Permit;

or otherwise act thereon.

Purpose: The purpose of this article is to create a definition for “Creative Production” uses, and once defined determine a) what zoning districts such use is permitted by right, by site plan special permit or special permit and b) what intensity, dimensional, off-street parking and other regulations for such uses as may be permitted by right or by special permit.

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w) Creative Production – 1 space for every five hundred (500) square feet of gross floor area. ~~Within the DM District, 1 space for every one thousand (1,000) square feet of gross floor area.~~

AMEND ZONING BYLAWS: CREATIVE PRODUCTION USE ZONING AMENDMENT

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- 4) To determine off-street parking standards and regulations for such uses as may be permitted By Right or by Special Permit;

or otherwise act thereon.

Purpose: The purpose of this article is to create a definition for “Creative Production” uses, and once defined determine a) what zoning districts such use is permitted by right, by site plan special permit or special permit and b) what intensity, dimensional, off-street parking and other regulations for such uses as may be permitted by right or by special permit.

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w) Creative Production – 1 space for every five hundred (500) square feet of gross floor area. *Within the DM District, 1 space for every one thousand (1,000) square feet of gross floor area.*

Warrant Article Questionnaire
Citizen Petitions & Non Standard Town Agency Articles

Section III – Questions with Response Boxes – To Be Completed By Petition Sponsor

Article # 30, FATM 2019	Date Form Completed: 9/12/2019
Article Title: AMEND ZONING BYLAWS: CREATIVE PRODUCTION USE ZONING AMENDMENT	
Sponsor Name: Natick Planning Board	Email: tfields@natickma.org

Question	Question
1	Provide the article motion exactly as it is intended to be voted on by the Finance Committee.
Response	Please see attached motion.
2	At a summary level and very clearly, what is proposed purpose and objective of this Warrant Article and the required Motion?
Response	The purpose of Article 30 is to define “Creative Production” uses, and determine a) what zoning districts such uses can be permitted by right, by site plan special permit or special permit and b) what intensity, dimensional, off-street parking and other regulations for such uses as may be permitted by right or by special permit. Article 30 will ease permitting of these types of modern commercial/industrial businesses in appropriate commercial districts in the town.
3	What does the sponsor gain from a positive action by Town Meeting on the motion?
Response	Clear zoning regulations governing the location and intensity of creative production uses in the town’s commercial and industrial zoning districts.
4	Describe with some specificity how the sponsor envisions how: the benefits will be realized; the problem will be solved; the community at large will gain value in the outcome through the accompanied motion?

Warrant Article Questionnaire

Citizen Petitions & Non Standard Town Agency Articles

Response	Article 30 will provide the Community and Economic Development Department clear zoning regulations to review applications to situate creative production uses in Natick.
5	How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive plan, and community values as well as relevant state laws and regulations
Response	Article 30 complements existing businesses in Natick Center and the town's industrial zones by promoting modern business uses such as software studios, digital media producers and collaborative workspaces .
6	<p>Have you considered and assessed, qualified and quantified the various impacts to the community such as:</p> <ul style="list-style-type: none"> • Town infrastructure (traffic, parking, etc.) • Neighbors (noise, traffic, etc.); • Environment and green issues (energy conservation, pollution, trash, encouraging walking and biking, etc.);
Response	Article 30 was drafted based on recommendations in the Natick 2030 Master Plan that were derived from input provided by commercial property owners, business proprietors and residents, who desire complementary modern creative and knowledge-based business uses to locate in the town.
7	<p>Who are the critical participants in executing the effort envisioned by the article motion?</p> <p>To this point what efforts have been made to involve those participants who may be accountable, responsible, consulted or just advised/informed on the impacts of executing the motion?</p>
Response	The critical participants are the members of the Planning Board, business and property owners and representative Town Meeting, who will ultimately vote to adopt the proposed changes.

Warrant Article Questionnaire

Citizen Petitions & Non Standard Town Agency Articles

8	<p>What steps and communication has the sponsor attempted to assure that:</p> <ul style="list-style-type: none"> Interested parties were notified in a timely way and had a chance to participate in the process, that Appropriate town Boards & Committees were consulted Required public hearings were held
Response	The sponsor (Planning Board) is following the required process for zoning changes. The Board has convened a Zoning Amendment Working Group that has held multiple public meetings with CED staff in August of 2019. The Board is reviewing the proposed amendment as required on 9/18/19.
9	Why is it required for the Town of Natick AND for the sponsor(s)?
Response	The changes in Article 30 are required to encourage creative production uses to locate in Natick Center and other appropriate commercial areas in town. Outside of those concerns, the sponsors have nothing to benefit from the article, other than in implementing a major recommendation of the Natick 2030 Master Plan.
10	Since submitting the article petition have you identified issues that weren't initially considered in the development of the proposal?
Response	Not at this time. Appropriate changes should be made in the future to address shifting market dynamics and economic trends.
11	What are other towns and communities in the Metro West area, or the Commonwealth of MA doing similar to what your motion seeks to accomplish
Response	The proposed changes are based on the regulations passed in the Town of Arlington in 2016.
12	If this Warrant Article is not approved by Town Meeting what are the consequences to the Town and to the sponsor(s)? Please be specific on both financial and other consequences.
Response	If Article 30 is not approved by Town Meeting, permitting modern creative production uses will be harder for the Community & Economic Planning Department to undertake.

ITEM TITLE: Article 31: Amend Zoning Bylaws: Specialty Craft Fabrication Zoning Amendment
ITEM SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
Update Motion for Art 31 as of 9-19	9/19/2019	Exhibit
Art 31 Red Line version as of 9/19	9/19/2019	Exhibit
Article 31 MOTION	9/15/2019	Exhibit
Article 31 Questionnaire	9/15/2019	Exhibit

AMEND ZONING BYLAWS: SPECIALTY CRAFT FABRICATION ZONING AMENDMENT

WARRANT ARTICLE:

To see if the Town will vote to amend the Zoning Bylaws to:

- 1) Add definitions for “Specialty Craft Fabrication”;
- 2) To determine which zoning district(s) such uses may be permitted By-Right or By Special Permit;
- 3) To determine intensity, dimensional and other regulations for such uses as may be permitted by right or by special permit and
- 4) To determine off-street parking standards and regulations for such uses as may be permitted By-Right or by Special Permit;

or otherwise act thereon.

Purpose: The purpose of this article is to create a definition for the “Specialty Craft Fabrication” use, and once defined determine a) what zoning districts such use is permitted by right, by site plan special permit or special permit and b) what intensity, dimensional, off-street parking and other regulations for such uses as may be permitted by right or by special permit.

MOTION

To see if the Town will vote to amend the Town of Natick Zoning By-Laws by:

1) In Article I, Section 200 – Definitions, add

Specialty Craft Fabrication: Production of goods by the use of hand tools or small-scale, light mechanical equipment occurring solely within an enclosed building where such activity involves on-site sales of goods produced, is conducted in public view as much as practical and requires no outdoor operations or storage, and where the production, operations, sales and storage of materials related to production occupy no more than 7,500 square feet of gross floor area. Typical uses have minimal negative impact on surrounding properties and include, but are not limited to, woodworking, ceramics production, jewelry manufacturing, small electronics production, beverage or food processing, including the distillation of alcohol. Specialty Fabrication sites may include a retail component, not to exceed thirty-three percent (33%) of the facility's gross square footage, permitted as an accessory use, where goods and products produced on the premises may be displayed, sold and/or consumed. A seasonal outdoor area (i.e. a patio, deck or garden) is permissible as part of an accessory retail use in a Specialty Fabrication site, but shall not be included in calculating the retail use's square footage for zoning compliance. Specialty Fabrication sites may also include other uses, such as a restaurant, if otherwise permitted in the zoning district.

2a) In Section III-A.2 Use Regulations schedule:

Insert new uses 38B to appear on the Use Table as follows:

BUSINESS USES	RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H
38B. Specialty craft fabrication, where all noise, smoke, dust, odor, vibration or similar objectionable features are confined to the premises.	O	O	O	O	O	O	(*)	P	A	A	O

2b) In Section III-C (3) [HMII], insert new use to Uses Allowed Under an Overall Site Plan, as follows:

m. Specialty Craft Fabrication, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises to the extent feasible.

2c) In Section III-D (1) [LC], insert new use to Permitted Uses, as follows:

r. Specialty Craft Fabrication, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises to the extent feasible.

2d) In Section III-E (2b) [DMU], insert new use to Uses Allowed on Special Permit Only, as follows:

13. Specialty Craft Fabrication, where all noise, smoke, dust, odor, vibration or similar objectionable features generated are minimized and confined to the premises to the extent feasible and such a use is located not less than fifty (50) feet from a residential district.

3) In Section V-D (3) Off-Street Parking and Loading Requirements add:

u) Specialty Craft Fabrication without accessory space for consuming goods produced on site – 1 space for every two thousand (2,000) square feet of gross floor area, or 1 space for each three (3) persons normally employed in the largest shift, whichever is greater. *Within the DM District, 1 space for every two thousand five hundred (2,500) square feet of gross floor area.*

- v) Specialty Craft Fabrication with accessory space for consuming goods produced on site – 1 space for every two thousand (2,000) square feet of gross floor area, or 1 space for each three (3) persons normally employed in the largest shift, whichever is greater plus 1 space for every thirty (30) square feet of public area reserved for the general public for the actual consumption of food and beverages. *Within the DM District, 1 space for every two thousand five hundred (2,500) square feet of gross floor area, plus 1 space for every two hundred and forty (240) square feet of public area reserved for the general public for the actual consumption of food and beverages (indoor spaces only).*

Warrant Article Questionnaire
Citizen Petitions & Non Standard Town Agency Articles

Section III – Questions with Response Boxes – To Be Completed By Petition Sponsor

Article # 31, FATM 2019	Date Form Completed: 9/12/2019
Article Title: AMEND ZONING BYLAWS: SPECIALITY CRAFT FABRICATION ZONING AMENDMENT	
Sponsor Name: Natick Planning Board	Email: tfields@natickma.org

Question	Question
1	Provide the article motion exactly as it is intended to be voted on by the Finance Committee.
Response	Please see attached motion.
2	At a summary level and very clearly, what is proposed purpose and objective of this Warrant Article and the required Motion?
Response	The purpose of Article 31 is to define “Specialty Craft Fabrication” uses, and determine a) what zoning districts such uses can be permitted by right, by site plan special permit or special permit and b) what intensity, dimensional, off-street parking and other regulations for such uses as may be permitted by right or by special permit. Article 31 will ease permitting of these types of modern commercial/industrial businesses in appropriate commercial districts in the town.
3	What does the sponsor gain from a positive action by Town Meeting on the motion?
Response	Clear zoning regulations governing the location and intensity of specialty craft fabrication uses in the town’s commercial and industrial zoning districts.
4	Describe with some specificity how the sponsor envisions how: the benefits will be realized; the problem will be solved; the community at large will gain value in the outcome through the accompanied motion?

Warrant Article Questionnaire

Citizen Petitions & Non Standard Town Agency Articles

Response	Article 31 will provide the Community and Economic Development Department clear zoning regulations to review applications to situate specialty craft fabrication uses in Natick.
5	How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive plan, and community values as well as relevant state laws and regulations
Response	Article 31 complements existing businesses in Natick Center and the town's industrial zones by promoting modern business uses such as specialty craft fabricators.
6	<p>Have you considered and assessed, qualified and quantified the various impacts to the community such as:</p> <ul style="list-style-type: none"> • Town infrastructure (traffic, parking, etc.) • Neighbors (noise, traffic, etc.); • Environment and green issues (energy conservation, pollution, trash, encouraging walking and biking, etc.);
Response	Article 31 was drafted based on recommendations in the Natick 2030 Master Plan that were derived from input provided by commercial property owners, business proprietors and residents, who desire complementary modern artisanal business uses to locate in the town.
7	<p>Who are the critical participants in executing the effort envisioned by the article motion?</p> <p>To this point what efforts have been made to involve those participants who may be accountable, responsible, consulted or just advised/informed on the impacts of executing the motion?</p>
Response	The critical participants are the members of the Planning Board, business and property owners and representative Town Meeting, who will ultimately vote to adopt the proposed changes.
8	<p>What steps and communication has the sponsor attempted to assure that:</p> <ul style="list-style-type: none"> • Interested parties were notified in a timely way and had a chance to participate in the process, that • Appropriate town Boards & Committees were consulted • Required public hearings were held

Warrant Article Questionnaire
Citizen Petitions & Non Standard Town Agency Articles

Response	The sponsor (Planning Board) is following the required process for zoning changes. The Board has convened a Zoning Amendment Working Group that has held multiple public meetings with CED staff in August of 2019. The Board is reviewing the proposed amendment as required on 9/18/19.
9	Why is it required for the Town of Natick AND for the sponsor(s)?
Response	The changes in Article 31 are required to encourage craft fabrication uses to locate in Natick Center and other appropriate commercial areas in town. Outside of those concerns, the sponsors have nothing to benefit from the article, other than in implementing a major recommendation of the Natick 2030 Master Plan.
10	Since submitting the article petition have you identified issues that weren't initially considered in the development of the proposal?
Response	Not at this time. Appropriate changes should be made in the future to address shifting market dynamics and economic trends.
11	What are other towns and communities in the Metro West area, or the Commonwealth of MA doing similar to what your motion seeks to accomplish
Response	The proposed changes are based on the regulations passed in the Town of Arlington in 2016.
12	If this Warrant Article is not approved by Town Meeting what are the consequences to the Town and to the sponsor(s)? Please be specific on both financial and other consequences.
Response	If Article 31 is not approved by Town Meeting, permitting modern specialty craft fabrication uses will be harder for the Community & Economic Planning Department to undertake.

ITEM TITLE: Article 32: Amend Zoning By-Laws: Downtown Business (DB) District Zoning Amendment

ITEM SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
Article 32 MOTION	9/15/2019	Exhibit
Article 32 Questionnaire	9/15/2019	Exhibit

AMEND ZONING BY-LAWS: DOWNTOWN BUSINESS (DB) DISTRICT ZONING AMENDMENT

WARRANT ARTICLE:

To see if the Town will vote to amend the Town of Natick Zoning By-Laws by:

- A. Establishing, creating or defining a new Section III-EE Downtown Business District (DB) after Section III-E as follows, including but not limited to:
 - 1. Purpose and intent;
 - 2. Use regulations for DB districts;
 - 3. Dimensional and density requirements;
 - 4. Procedures;
 - 5. Design review board;
- B. Amending Section V-D OFF STREET PARKING AND LOADING REQUIREMENTS to define off-street parking standards for DB districts;

or otherwise act thereon.

MOTION A:

MOVE to amend Section III – USE REGULATIONS of the Natick Zoning Bylaws by inserting a new Section III-EE Downtown Business District (DB) after Section III-E DOWNTOWN MIXED USE DISTRICT DM as follows:

III-DD DOWNTOWN BUSINESS DISTRICT (DB)

1. PURPOSE AND INTENT:

To establish a compact business center which does not include noxious or land-expansive uses, is centrally located, and is designed primarily for pedestrian shoppers. The DB District is intended to apply only to the commercial core of the central business area bounded by the south side of South Avenue, the west side of Adams Street, the south side of Court Street, the west side of Washington Street, the north side of Central Street (Route 135), the west side of Clark’s Court and the south side of Middlesex Avenue.

2. USE REGULATIONS FOR DB DISTRICTS:

Only those uses provided for below are permitted or allowed in a DB District. All other uses are prohibited, except as may be provided for hereafter.

a. PERMITTED USES:

The following uses are permitted as a matter of right in a Downtown Business District, such uses may be combined in the same structure and/or on the same lot:

1. Private garage or outdoor vehicles storage in connection with a dwelling.
2. Lodge building or other non-profit social or civic use, but not including any use the principal activity of which is one customarily conducted as a business.
3. Customary home occupation.
4. Wholesale or retail stores or office of show room with inside storage of goods for sale on the premises only.
5. Business or professional office or agency, bank or other financial institution, administrative offices, clerical offices, statistical offices, craft, consumer, professional or commercial service establishments dealing directly with the general public, business training center.
6. Undertaking establishment or funeral home.
7. Printing or publishing establishment.
8. Restaurant, tearooms, lunchrooms, or other places serving permitted beverages inside a lodge building in connection with non-profit social or civic activities to which admission is limited or controlled, and specifically excluding any activity customarily conducted as a business.
9. Eating establishments serving customers inside of the building without live or mechanical entertainment.
10. Cafeteria or restaurant for use of personnel employed on the premises carrying on a permitted use.
11. Establishments for creative production.
12. Establishments for scientific research or scientific development or related production.
13. A governmental facility and building for public uses and purposes, including libraries, museums, and public schools but excluding solid waste disposal facilities.
14. Public utility structure including telephone exchanges, and radio and TV stations offices (excluding towers).
15. Church, rectory, convent, parish house, and other religious institutions such as religious sectarian schools.
16. Schools conducted by a non-profit educational corporation on land which it owns.
17. Fallout shelters.
18. All uses, which by any of the provisions of the Massachusetts General Laws, including Chapter 40A, may not be prohibited, are hereby included by reference as permitted uses.

b. USES ALLOWED BY SPECIAL PERMIT ONLY:

The following uses may be allowed by the Special Permit Granting Authority in accordance with the provisions of Chapter 40A of the General Laws and in accordance with Section VI-DD of this By-law.

- 2. Indoor amusement or recreation place of assembly provided that the building is so insulated and maintained as to confine noise to the premises and such use is located not less than one hundred (100) feet from a residential district.
- 3. Indoor tennis or racquet club or other in-door recreation place, provided that the building is so insulated and maintained as to confine noise to the premises.
- 4. Eating establishments providing live or mechanical entertainment or service to customers outside of the building.
- 5. Specialty fabrication establishments.
- 6. Accessory use.
- 7. Hotel and Motel.
- 8. The serving of food and/or permitted beverages, with or without accompanying entertainment, on the premises of a hotel or motel, including without limitation, all restaurants, cocktail lounges, room service facilities, meeting and function rooms on the premises.

3. DIMENSIONAL AND DENSITY REQUIREMENTS

- a. MINIMUM LOT DIMENSIONS: Area - 10,000 square feet; continuous frontage - 80 feet; depth - 120 feet.
- b. MINIMUM YARD DIMENSIONS: Front yard – None required; Side yard - None required; Rear yard - Ten (10') feet.
- c. MAXIMUM PERCENTAGE BUILDING COVERAGE: (Includes any accessory building): 75, provided that any structure in existence on January 1, 1987 may be altered and improved without decreasing the building coverage in existence on January 1, 1987.
- d. MAXIMUM HEIGHT OF BUILDING AND/OR STRUCTURES: Fifty (50') feet. However, height may be as much as sixty (60') feet if there are one or more existing buildings within 200 feet of the premises on a lot with frontage on the same side of the same street having a building height equal to the height of the proposed structure. For the purpose of the preceding clause only, the building height of existing buildings within 200 feet of the premises shall not include roof tanks and their supports, ventilating, air conditioning and similar building service equipment; steeples, chimneys, railings, skylights and other similar features of buildings; fixtures and equipment used for the wireless transmission and reception of radio signals, including but not limited to antennae, communication dishes and similar devices, monopoles, and lattice towers.
- e. MINIMUM HEIGHT OF BUILDINGS:

Building height for any new building shall equal at least thirty (30) feet.
- f. OPEN SPACE REQUIREMENT PER LOT: Five (5%) percent which is landscaped and at grade level; provided that any structure in existence on January 1, 1987 may be altered and improved without increasing the open space in existence on January 1, 1987. (Art 47 S.T.M. April 7, 1987)

4. PROCEDURES

- a. Special Permit Granting Authority: The Planning Board shall act as the Special Permit Granting Authority (SPGA) for uses administered under Section III-DD of the Zoning By-Laws.
- b. Pre-application: The Applicant is encouraged to meet with the Community Development Director and the SPGA prior to the preparation of a formal application for a use allowed By Special Permit in the DB district, for general discussion of the project to be proposed.

5. DESIGN REVIEW BOARD

a. PURPOSE

It is the intent of this Section to provide detailed review of exterior alterations made to structures having substantial impact on the Natick Downtown Business District, to prevent blight, to enhance the natural and aesthetic qualities of the Downtown, to conserve the value of land and buildings, and to protect and preserve the historic and cultural heritage of the Downtown and its surrounding neighborhoods.

b. DESIGN REVIEW BOARD COMPOSITION

For the purposes of this Section III-E.4, the Design Review Board shall be appointed by the Planning Board and the Natick Board of Selectmen to consist of five (5) Town residents as follows:

1. A member of the Planning Board or designee,
2. A person appointed by the Planning Board qualified by training and experience in Landscape design,
3. A person appointed by the Planning Board qualified by training and experience in Architecture design,
4. A person appointed by the Board of Selectmen who serves on the Historic Commission,
5. A person appointed by the Board of Selectmen who serves on a Downtown Business organization.

Members shall serve for three (3) years or until their successors are appointed, except that the members listed under paragraphs 2 and 4 above shall serve for two (2) years in their initial term, and the member listed under paragraph 3 above shall serve for one (1) year in his or her initial term.

c. AUTHORITY AND SPECIFIC POWERS

The Design Review Board shall review requests for sign permits, new construction, or any other exterior alterations or modifications to a building, with the exception of single- and two-family dwellings, that require a special permit or variance. It shall evaluate such requests based on Part D – Design Criteria of this section. All requests must be submitted to the Design Review Board prior to application to the Special Permit Granting Authority or Permit Granting Authority. A written determination must be made within thirty (30) days after the filing of the application or such further time as the applicant may in writing allow. Its findings, along with any restrictions and/or conditions, shall be submitted in writing to the Special Permit Granting Authority or Permit Granting Authority. These comments may also be incorporated in the recommendations of the Planning Board to the Special Permit Granting Authority or Permit Granting Authority. All decisions and reports of the Design Review Board shall be advisory only.

d. DESIGN CRITERIA

The Design Review Board shall review requests for Special Permits under this Section based on the following standards:

1. Preservation and enhancement of landscaping. The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas.
2. Relation of buildings to environment. Proposed development shall be related harmoniously to the terrain and to the use, scale, and architecture of existing buildings in the vicinity that have functional or visual relationship to the proposed building. Proposed buildings shall be related to their surroundings with respect to:
 - a. height
 - b. street façade
 - c. rhythm of solids and voids
 - d. spacing of buildings or signs
 - e. materials, textures, and color
 - f. roof slopes
 - g. scale
3. Open space. All open space (landscaped and usable) shall be designed to add to the visual amenities of the area by maximizing its visibility for persons passing the site or overlooking it from nearby properties.
4. Signs and advertising devices. The size, location, design, color, texture, lighting, and materials of signs and advertising devices shall be in harmony with significant architectural features of existing and proposed buildings and structures and with surrounding properties.
5. Heritage. Removal or disruption of historic, traditional or significant uses, structures, or architectural elements shall be minimized insofar as practicable, whether these exist on the site or on adjacent properties.
6. The Design Review Board may, in its discretion, determine and apply additional Design Criteria that further the purposes of this bylaw.

e. DESIGN GUIDELINES HANDBOOK

The Design Review Board shall publish and make available to the public on request a booklet of guidelines based on the specific Design Criteria cited in Part D to effectuate the purposes of this Section.

MOTION B

MOVE to amend Section V-D – OFF STREET PARKING AND LOADING REQUIREMENTS of the Natick Zoning Bylaws by the following:

A. Part 3. Parking Facilities Required by Parking Demand

1. In sub-part d), after “For offices - 1 space per four hundred (400) square feet of gross floor area*”, add “, *within the DB District, 1 space per thousand (1,000) square feet of gross floor area.*”, so that d) now reads:

d) For offices - 1 space per four hundred (400) square feet of gross floor area, **within the DB District, 1 space per thousand (1,000) square feet of gross floor area.***
2. In sub-part e), after “For financial institutions, retail stores, personal services, shops, and similar commercial uses - 1 space for each two hundred and fifty (250) square feet of gross floor area. Within the DM...” add “*and DB Districts...*”, so that e) now reads:

*e) For financial institutions, retail stores, personal services, shops, and similar commercial uses - 1 space for each two hundred and fifty (250) square feet of gross floor area. Within the DM **and DB Districts**, 1 space for each five hundred (500) square feet of gross floor area.*
3. In sub-part g), after “Within the DM District”, add “*and DB District,*” so that g) now reads:

*g) For restaurants, night clubs, bars and lounges - 1 space for each thirty (30) square feet of public area or 1 space for every three (3) seats, whichever is greater. Within the DM **and DB District**, 1 space for every twenty-five (25) seats. Public area shall mean the area reserved for the general public for the actual consumption of food and beverages.**
4. After sub-part v), in its entirety, insert:

*“w) Specialty Craft Fabrication without accessory space for consuming goods produced on site – 1 space for every two thousand (2,000) square feet of gross floor area, or 1 space for each three (3) persons normally employed in the largest shift, whichever is greater. Within the **DM and DB Districts**, 1 space for every two thousand five hundred (2,500) square feet of gross floor area. “*

*x) Specialty Craft Fabrication with accessory space for consuming goods produced on site – 1 space for every two thousand (2,000) square feet of gross floor area, or 1 space for each three (3) persons normally employed in the largest shift, whichever is greater plus 1 space for every thirty (30) square feet of public area reserved for the general public for the actual consumption of food and beverages. Within the **DM and DB Districts**, 1 space for every two thousand five hundred (2,500) square feet of gross floor area, plus 1 space for every three hundred (300) square feet of public area reserved for the general public for the actual consumption of food and beverages (indoor spaces only).*

*y) Creative Production – 1 space for every five hundred (500) square feet of gross floor area. Within the **DM and DB Districts**, 1 space for every one thousand (1,000) square feet of gross floor area.”*

B. Part 5. Exceptions in Downtown Business District

1. After “DM District”, add “*and DB District*”, so that Part 5 now reads:

*Notwithstanding the minimum requirements enumerated in sections 3, c) through 3, q) above, in a DM and **DB District** the number of parking spaces required for non-residential use may be reduced by special permit by not more than fifty (50%) percent of the requirement of section V-D 3, conditioned upon the approval of the SPGA, and upon commitment to payments according to the Incremental Parking Credit schedule in Table 2 below based on the difference in parking units provided and those required under sections c) through q) above. Said payments are due prior to the issuance of an occupancy permit. Any Special Permit issued under this section is subject to findings by the SPGA that the decrease in on-site parking is not substantially more detrimental than the requirements of the Zoning district.*

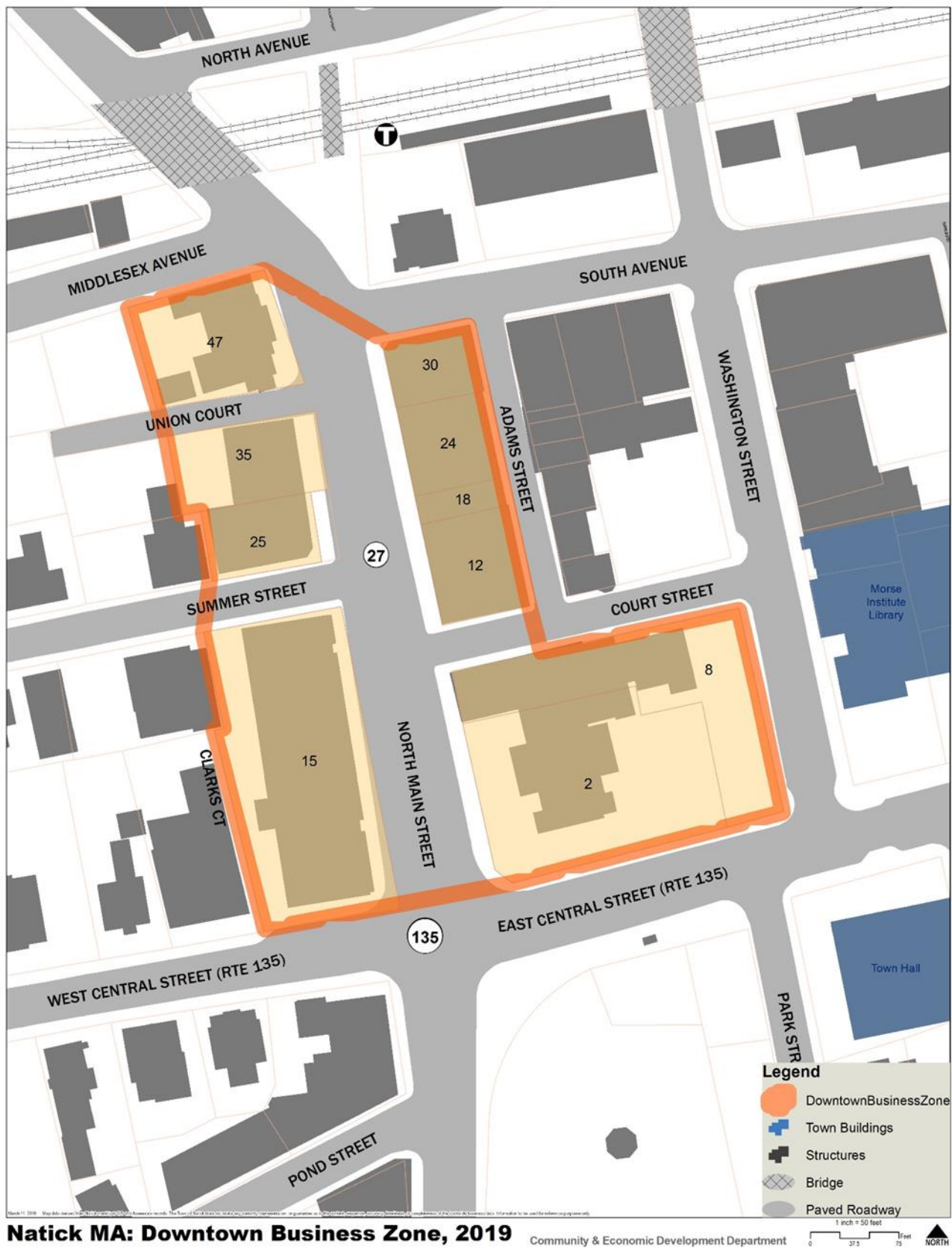
*Further notwithstanding the minimum requirements enumerated in sections 3c) through 3q) above, in a DM and **DB District** the SPGA may, as part of a special permit or site plan review for a change in use or expansion of prior use, in its discretion reduce the required number of parking spaces by an amount equal to the number of spaces by which the prior use is below the minimum number of spaces required for that use, but only upon a finding that the new or expanded use is not*

detrimental to the intent of this bylaw and that the new or expanded use (a) increases architectural accessibility, (b) accommodates mixed use on the parcel, (c) improves pedestrian and/or vehicular movements, (d) enhances the streetscape for abutting properties, (e) creates affordable housing, or (f) accommodates mass transit facilities.

MOTION C

To see if the Town will vote to amend the Zoning Bylaws and Map with regards to:

- 1. Amend the Town of Natick zoning map, as referenced under Section II-B Location of Districts (Zones) subsection 1 to replace the Downtown Mixed Use (DM) zoning district with the Downtown Business (DB) or other zoning district as appropriate, on lots shown on the Town of Natick Assessors' Map 43, Lot 385, including approximately to the center line of Middlessex Avenue, North Main Street and South Avenue to the north [including but not limited to a portion of the property known as 30 Main Street], and; Town of Natick Assessors' Map 44, Lots 1, 3, 4, 5, 18, 23; Map 43, Lots 347, 382, 383 including approximately to the center line of East and West Central Street to the south [including but not limited to properties known as 15 Main Street].



Warrant Article Questionnaire
Citizen Petitions & Non Standard Town Agency Articles

Section III – Questions with Response Boxes – To Be Completed By Petition Sponsor

Article # 32, FATM 2019	Date Form Completed: 9/5/2019
Article Title: AMEND ZONING BYLAWS: DOWNTOWN BUSINESS (DB) ZONING AMENDMENT	
Sponsor Name: Natick Planning Board	Email: tfields@natickma.org

Question	Question
1	Provide the article motion exactly as it is intended to be voted on by the Finance Committee.
Response	Please see attached Motions A-C.
2	At a summary level and very clearly, what is proposed purpose and objective of this Warrant Article and the required Motion?
Response	Promote the development of new and enhancement of existing business uses in the town's Central Business District within Natick Center, extending north along Main Street from the intersection of Central and Main Streets to South and Middlesex Avenues.
3	What does the sponsor gain from a positive action by Town Meeting on the motion?
Response	Protection of core business uses in Natick's Central Business District, a prime recommendation of the Economic Development section of the Natick 2030 Plan.
4	Describe with some specificity how the sponsor envisions how: the benefits will be realized; the problem will be solved; the community at large will gain value in the outcome through the accompanied motion?
Response	Article 32 will prohibit residential uses within the core of the town's downtown central business district in Natick Center, protecting the existing businesses uses and the historic character of the area from current and future real estate pressures.

Warrant Article Questionnaire

Citizen Petitions & Non Standard Town Agency Articles

5	How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive plan, and community values as well as relevant state laws and regulations
Response	Article 32 complements the existing Downtown Mixed Use (DM) zoning district by protecting essential business uses within Natick's historic commercial and civic core.
6	<p>Have you considered and assessed, qualified and quantified the various impacts to the community such as:</p> <ul style="list-style-type: none"> • Town infrastructure (traffic, parking, etc.) • Neighbors (noise, traffic, etc.); • Environment and green issues (energy conservation, pollution, trash, encouraging walking and biking, etc.);
Response	Article 32 was drafted based on recommendations in the Natick 2030 Master Plan that were derived from input provided by property owners and business proprietors in Natick Center, who are concerned that the town's housing market encourages conversion of historic commercial structures to residential uses, to the detriment of the Town's character.
7	<p>Who are the critical participants in executing the effort envisioned by the article motion?</p> <p>To this point what efforts have been made to involve those participants who may be accountable, responsible, consulted or just advised/informed on the impacts of executing the motion?</p>
Response	The critical participants are the members of the Planning Board, Natick Center Associates, business and property owners in Natick Center and representative Town Meeting, who will ultimately vote to adopt the proposed changes.
8	<p>What steps and communication has the sponsor attempted to assure that:</p> <ul style="list-style-type: none"> • Interested parties were notified in a timely way and had a chance to participate in the process, that • Appropriate town Boards & Committees were consulted • Required public hearings were held

Warrant Article Questionnaire
Citizen Petitions & Non Standard Town Agency Articles

Response	The sponsor (Planning Board) is following the required process for zoning changes. The Board has convened a Zoning Amendment Working Group that has held multiple public meetings with CED staff in August of 2019. The Board is reviewing the proposed amendment as required on 9/18/19.
9	Why is it required for the Town of Natick AND for the sponsor(s)?
Response	The changes in Article 32 are needed to preserve and protect the character of Natick's historic central business district within Natick Center. Outside of those concerns, the sponsors have nothing to benefit from the article, other than in implementing a major recommendation of the Natick 2030 Master Plan.
10	Since submitting the article petition have you identified issues that weren't initially considered in the development of the proposal?
Response	Appropriate changes should be made in the future to address and shifting property market dynamics.
11	What are other towns and communities in the Metro West area, or the Commonwealth of MA doing similar to what your motion seeks to accomplish
Response	The proposed changes are based on the regulations governing the town's Downtown Mixed Use (DM) zones.
12	If this Warrant Article is not approved by Town Meeting what are the consequences to the Town and to the sponsor(s)? Please be specific on both financial and other consequences.
Response	If Article 32 is not approved by Town Meeting, the traditional and essential mercantile character of Natick Center and the town's Central Business District will likely be eroded by conversion of historic commercial structures to residential uses.

ITEM TITLE: Article 33: Amend Zoning By-Laws: Non-Conforming Uses, Large Residential Additions Zoning Amendment

ITEM SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
Article 33 MOTION	9/15/2019	Exhibit
Article 33 Questionnaire	9/15/2019	Exhibit

AMEND ZONING BY-LAWS: NON-CONFORMING USES, LARGE RESIDENTIAL ADDITIONS ZONING AMENDMENT

WARRANT ARTICLE:

To see if the Town will vote to amend the Zoning By-laws to amend Section V-A (4), Nonconforming Uses, by:

1. Amending, modifying or adding, without limitation, to Section 200 Definitions for “Large Additions, Residential”;
2. Adding, without limitation, provision(s) for regulating alteration, addition or demolition/reconstruction activity yielding “large additions” on nonconforming single and two-family dwellings;
2. Amending, modifying, or adding to Section VI – E – Board of Appeals, Special Permits;

or otherwise act thereon.

MOTION A

To see if the Town will vote to amend the Town of Natick Zoning By-Laws by inserting new text after V-A (4.0) as follows:

1) In Article I, Section 200 – Definitions, add

Large Residential Additions: Any alteration, addition or demolition/reconstruction activity which increases the gross floor area of single-family or two-family dwelling greater than one thousand (1,000) square feet, or more than 50.0% of the dwelling's gross floor area, whichever is less.

MOTION B

To see if the Town will vote to amend the Town of Natick Zoning By-Laws by inserting new text after V-A (4.0) as follows:

5. Large Additions: All Large Residential Additions, as defined herein, shall conform to the requirements of this section. No alteration, addition or demolition/reconstruction activity which increases the gross floor area of a nonconforming single-family or two-family dwelling by greater than one thousand (1,000) square feet, or more than 50.0% of the dwelling's gross floor area, whichever is less, on the date of application for a permit or because of cumulative alterations or additions from the date of this by-law, shall be allowed unless:

- a) The addition is constructed entirely within the existing foundation, or
- b) The Board of Appeals, acting pursuant to Section VI-E (I), finds that the alteration or addition is in harmony with other structures and uses in the vicinity. In making its determination, the Board of Appeals shall consider, among other relevant facts:
 - i. The proposed alteration, addition or reconstruction activity’s dimensions and;
 - ii. Setbacks in relation to abutting structures and uses and;
 - iii. Potential impacts from additional shadows or blockage of sunlight and/or views on or from existing buildings, constituting the primary use, on adjacent properties to a greater extent than could result from the construction of a permitted alteration, addition or reconstruction activity totaling less than 50% of the gross floor area or 1,000 square feet.
 - iv. Conformity to the purposes of this bylaw.

so that Section V-A now reads:

4. Changes. Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use.

5. Large Additions. All Large Residential Additions, as defined herein, shall conform to the requirements of this section. No alteration, addition or demolition/reconstruction activity which increases the gross floor area of a nonconforming single-family or two-family dwelling by greater than one thousand (1,000) square feet, or more than 50.0% of the dwelling's gross floor area, whichever is less, on the date of application for a permit or because of cumulative alterations or additions from the date of this by-law, shall be allowed unless:

- a) The addition is constructed entirely within the existing foundation, or*
- b) The Board of Appeals, acting pursuant to Section VI-E (I), finds that the alteration or addition is in harmony with other structures and uses in the vicinity. In making its determination, the Board of Appeals shall consider, among other relevant facts:*
 - i. The proposed alteration, addition or reconstruction activity’s dimensions and;*
 - ii. Setbacks in relation to abutting structures and uses and;*
 - iii. Potential impacts from additional shadows or blockage of sunlight and/or views on or from existing buildings, constituting the primary use, on adjacent properties to a greater extent than could result from the construction of a permitted alteration, addition or reconstruction activity totaling less than 50% of the gross floor area or 1,000 square feet.*
 - iv. Conformity to the purposes of this bylaw.*

MOTION C

MOVE to amend the Natick Zoning Bylaws by inserting new text after VI-E.2 (k) as follows:

l) The Board of Appeals may grant a special permit for alteration, addition or reconstruction activity that increases the gross floor area of a single-family or two-family dwelling greater than one thousand (1,000) square feet, or more than 50.0% of the dwelling's gross floor area, whichever is less.

1) Special permits granted hereunder shall incorporate by reference the building design and site development plans submitted by the developer with the application. Development of the alteration, addition or reconstruction in question under such special permit shall be in conformance with such designs and plans, unless, after hearing, the Board of Appeals amends such special permit.

2) In granting a special permit, the Board of Appeals may impose such additional conditions and safeguards as public safety, welfare and convenience may require, either as recommended by any Town Board or Department, or upon its own initiative. Special permits issued hereunder shall lapse if no building permit issues within two years of the date of the special permit, unless the Board of Appeals, upon application, extends this time.

m) The application to the Board of Appeals for a special permit for alteration, addition or reconstruction activity under subsection VI E (l) shall be accompanied by the following plans and supporting materials:

1) Plan of the tract showing the existing topography at 2-foot contours, soil culture, existing streets and structures within and adjacent to the tract.

2) Site development plans showing the proposed grading of the tract and the proposed locations, dimensions, materials and types of construction of streets, drives, parking areas, walks, paved areas, utilities, usable open space, planting, screening, landscaping and other improvements and the locations and outlines of proposed buildings.

3) Preliminary architectural drawings for building plans including typical floor plans, elevations and sections, identifying construction and exterior finishes.

So that Section VI-E.2 now reads:

k) No section or subsection of the special permit procedure established herein for subsidized housing development shall be deemed severable from other sections or subsections of the special permit procedure for the construction of subsidized housing. In the event that any section or subsection of such procedure shall later be invalidated, whether by judicial decree or otherwise, all other provisions contained herein relating to the issuance of special permits for subsidized housing shall become inoperative, except that special permits previously issued by the Board of Appeals hereunder shall remain valid.

l) The Board of Appeals may grant a special permit for alteration, addition or reconstruction activity that increases the gross floor area of a single-family or two-family dwelling greater than one thousand (1,000) square feet, or more than 50.0% of the dwelling's gross floor area, whichever is less.

1) Special permits granted hereunder shall incorporate by reference the building design and site development plans submitted by the developer with the application. Development of the alteration, addition or reconstruction in question under such special permit shall be in conformance with such designs and plans, unless, after hearing, the Board of Appeals amends such special permit.

2) In granting a special permit, the Board of Appeals may impose such additional conditions and safeguards as public safety, welfare and convenience may require, either as recommended by any Town Board or Department, or upon its own initiative. Special permits issued hereunder shall lapse if no building permit issues within two years of the date of the special permit, unless the Board of Appeals, upon application, extends this time.

m) The application to the Board of Appeals for a special permit for alteration, addition or reconstruction activity under subsection VI E (l) shall be accompanied by the following plans and supporting materials:

1) Plan of the tract showing the existing topography at 2-foot contours, soil culture, existing streets and structures within and adjacent to the tract.

2) Site development plans showing the proposed grading of the tract and the proposed locations, dimensions, materials and types of construction of streets, drives, parking areas, walks, paved areas, utilities, usable open space, planting, screening, landscaping and other improvements and the locations and outlines of proposed buildings.

3) Preliminary architectural drawings for building plans including typical floor plans, elevations and sections, identifying construction and exterior finishes.

Warrant Article Questionnaire

Citizen Petitions & Non Standard Town Agency Articles

Section III – Questions with Response Boxes – To Be Completed By Petition Sponsor

Article # 33, FATM 2019	Date Form Completed: 9/5/2019
Article Title: AMEND ZONING BYLAWS: NON-CONFORMING USES, LARGE RESIDENTIAL ADDITIONS ZONING AMENDMENT	
Sponsor Name: Natick Planning Board	Email: tfields@natickma.org

Question	Question
1	Provide the article motion exactly as it is intended to be voted on by the Finance Committee.
Response	Please see attached Motions A-C.
2	At a summary level and very clearly, what is proposed purpose and objective of this Warrant Article and the required Motion?
Response	Regulate the expansion and reconstruction of non-conforming single and two-family homes to preserve and enhance the character and diversity of Natick's housing stock.
3	What does the sponsor gain from a positive action by Town Meeting on the motion?
Response	Insertion of a zoning by-law amendment mandating requiring a Special Permit from the Zoning Board of Appeals for expansion of non-conforming single and two-family residences by the lesser of 50% of Gross Floor Area or 1000 square feet.
4	Describe with some specificity how the sponsor envisions how: the benefits will be realized; the problem will be solved; the community at large will gain value in the outcome through the accompanied motion?
Response	Article 33 will regulate construction of large additions to existing non-conforming single and two-family homes, and the demolition and reconstruction of such properties, to ensure that new development preserves the character of Natick's residential neighborhoods.

Warrant Article Questionnaire

Citizen Petitions & Non Standard Town Agency Articles

5	How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive plan, and community values as well as relevant state laws and regulations
Response	<p>Article 33's proposed changes have no direct effects on the Town's financial or capital plans. It does not restrict modernization or redevelopment of non-conforming residential properties, but regulates such activity to protect the value and character of abutting properties and neighborhoods.</p> <p>The Planning Board strongly believe that the above proposals do not inhibit development of residential property but rather establish much needed balance in the development of a broad range of housing throughout town.</p>
6	<p>Have you considered and assessed, qualified and quantified the various impacts to the community such as:</p> <ul style="list-style-type: none"> • Town infrastructure (traffic, parking, etc.) • Neighbors (noise, traffic, etc.); • Environment and green issues (energy conservation, pollution, trash, encouraging walking and biking, etc.);
Response	<p>The Planning Board believes that the above proposals do not inhibit development of residential property but rather establish much needed balance in the development of a broad range of housing throughout town.</p>
7	<p>Who are the critical participants in executing the effort envisioned by the article motion?</p> <p>To this point what efforts have been made to involve those participants who may be accountable, responsible, consulted or just advised/informed on the impacts of executing the motion?</p>
Response	<p>The critical participants are the members of the Planning Board, Zoning Board of Appeals, Building Department and representative Town Meeting, who will ultimately vote to adopt the proposed changes.</p>
8	<p>What steps and communication has the sponsor attempted to assure that:</p> <ul style="list-style-type: none"> • Interested parties were notified in a timely way and had a chance to participate in the process, that • Appropriate town Boards & Committees were consulted • Required public hearings were held

Warrant Article Questionnaire
Citizen Petitions & Non Standard Town Agency Articles

Response	The sponsor (Planning Board) is following the required process for zoning changes. The Board has convened a Zoning Amendment Working Group that has held multiple public meetings with CED staff in August of 2019. The Board is reviewing the proposed amendment as required on 9/18/19.
9	Why is it required for the Town of Natick AND for the sponsor(s)?
Response	These changes are needed to preserve and protect the character of Natick's residential neighborhoods. Outside of those concerns, the sponsors have nothing to benefit from this.
10	Since submitting the article petition have you identified issues that weren't initially considered in the development of the proposal?
Response	Appropriate changes should be made in the future to address shifting housing market dynamics.
11	What are other towns and communities in the Metro West area, or the Commonwealth of MA doing similar to what your motion seeks to accomplish
Response	The Town of Arlington has a similar provision in their zoning by-law. The Town of Wellesley has a more extensive version in its Large Addition Review process that was extended in 2018 to its zoning by-law.
12	If this Warrant Article is not approved by Town Meeting what are the consequences to the Town and to the sponsor(s)? Please be specific on both financial and other consequences.
Response	Under current housing development trends, the pace of tearing down existing small homes and their replacement with very large dwellings will continue or potentially increase, harming the character of the town's older residential neighborhoods.

ITEM TITLE: Article 34: Amend Zoning By-Laws: Alternate Uses In Residential Districts Zoning Amendment

ITEM SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
Article 34 MOTION	9/15/2019	Exhibit
Questionnaire for Art 34	9/19/2019	Exhibit

8/14/19

WARRANT ARTICLE:

“ To see whether the Town will amend Natick Zoning Bylaw Section V Special Requirements, to restrict non-residential uses in the setbacks of residential lots, or otherwise act thereon.”

MOTION:

Move to amend the Town of Natick - Zoning Bylaw **Section V** as follows:

Add the following Sub-section to Section V Special Requirements.

“V-A.1 ALTERNATE USES IN RESIDENTIAL DISTRICTS:

Except for the primary residential use of RS or RG, allowed in their respective districts; for all other uses that are either permitted, allowed by special permit, or otherwise enabled; all parking, areas of active use, play areas, communal gathering areas, and storage; whether in buildings, accessory structures, or outdoor; shall be subject to the district’s setbacks as shown in Table IV – B.”

ITEM TITLE: Article 35: Amend Zoning Bylaw – Retail Marijuana Overlay Districts
ITEM SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
Article 35 MOTION	9/15/2019	Exhibit
Map- the most correct of the corrected	9/19/2019	Exhibit
Article 35 MAP	9/15/2019	Exhibit

Article 35
Amend Zoning Bylaw – Retail Marijuana Overlay Districts
Natick Planning Board

To see if the Town will vote to amend the Town of Natick Zoning Bylaws as follows:

To correct and revise the properties previously designated for inclusion in Retail Marijuana Overlay Districts as voted by Town Meeting under 2018 Special Town Meeting #2, Article 2.

Not for inclusion as part of original article:

Motion A (*Golden Triangle*)

Move to amend the Town of Natick zoning map, as referenced under Section II-B Location of Districts (Zones) subsection 1, by revising the Retail Marijuana Overlay District (RMo) for the following properties as shown on Town Assessors' maps:

- Replace references to Map 17, Lot 1 and Map 25, Lots 276 and 277 with reference to Map 17, Lots 1H and 1R;
- Replace reference to Map 17, Lot 5D with Map 17, Lot 4D;
- Replace reference to Map 17, Lot 6 to Map 17, Lot 3E;
- Replace reference to Map 17, Lot 9E, with Map 17, Lot 9B;
- Replace reference to Map 23 Lot 1E with Map 23 Lot 1D;
- Insert after Map 24 Lot 89A the following: “(for a depth not to exceed 515 feet from the northern boundary of Lot 89A)”;
- Delete references to Map 24, Lots 89F, 89G, 89H, 89I, and 94AA; and
- Delete reference to Map 24, Lots 89CD, 89DA, and 89CE, and reference to Map 25 Lot 251A.

In the cases of Map 17, Lots 5D, 6, and 9A, there are no lots with these numbers in the Town Assessors' records. The designated lots that replace them were the ones that were intended to be listed.

Motion B (*Rt. 9 East Town Line*)

Move to amend the Town of Natick zoning map, as referenced under Section II-B Location of Districts (Zones) subsection 1, by revising the Retail Marijuana Overlay District (RMo) for the following properties as shown on Town Assessors' maps:

- Insert after Map 21 Lot 117B the following: “(portion with CII underlying zoning)”

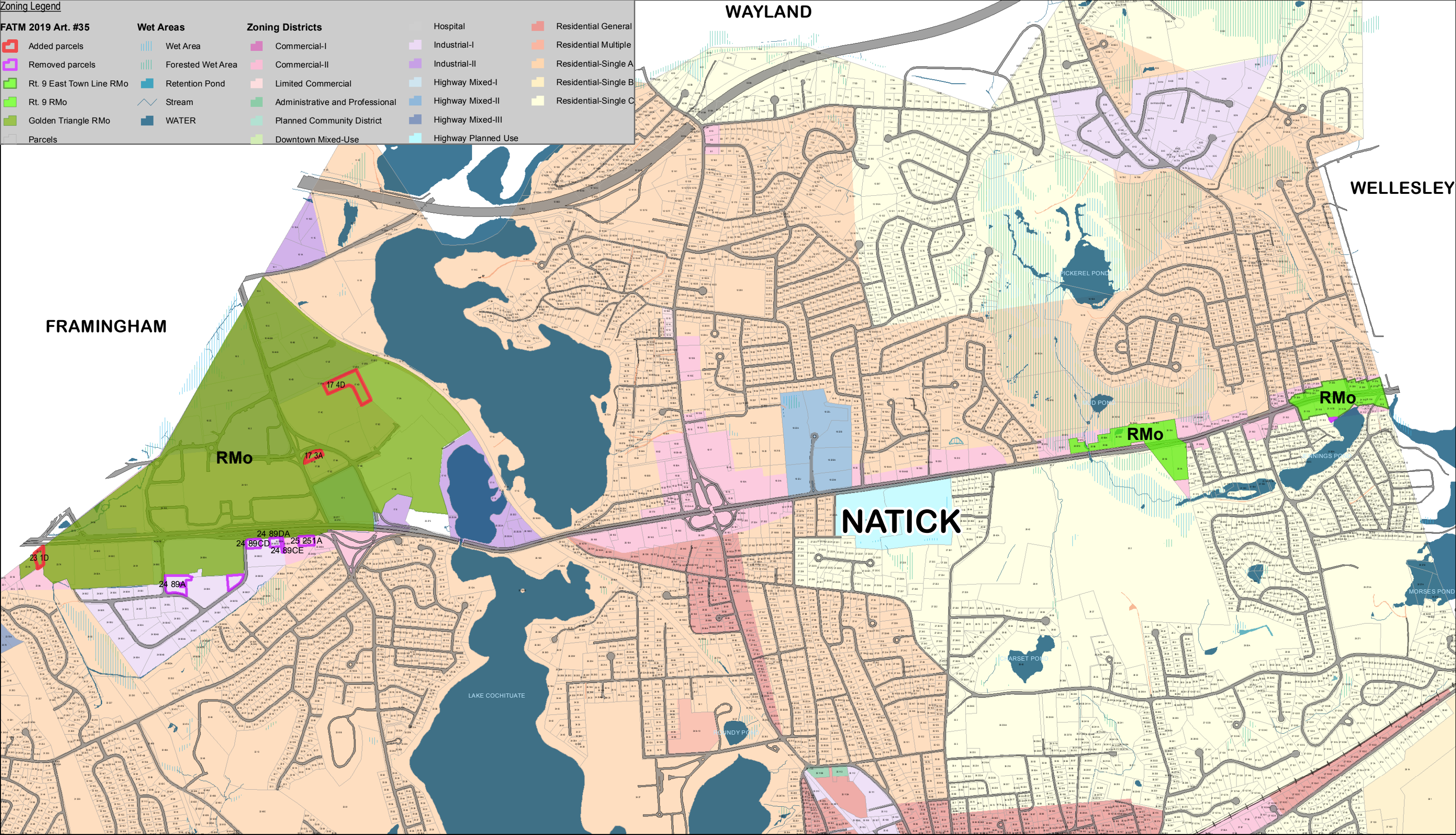
So that the list of properties in the districts now reads as follows:

Golden Triangle Retail Marijuana Overlay District (RMo)

- Map 10 Lots 4, 5, and 6;
- Map 16 Lots 2, 2B, 2C, 3, 4B, 4D, 4Ab, and 4Abb;
- Map 17 Lots Map 17, Lots 1H, 1R, 3B, 3E, 4A, 4B, 4C, 4D, 5A, 5C, 5F, 5FA, 5FB, 5FC, 9A, 9D, 9E, and 20;
- Map 23 Lots 1A, 1D, 73, and 74;
- Map 24 Lots 91 (portion with CII underlying zoning), 94, 100, 101, 88A, 89A (for a depth not to exceed 515 feet from the northern boundary of Lot 89A), 89CA, 89E, 92A, 92C, 92D, and 94A;

Rt. 9 East Town Line Retail Marijuana Overlay District (RMo)

- Map 21 Lots 1, 8 (portion with CII underlying zoning), 114, 115, 116, 117A, 117B (portion with CII underlying zoning), 118, 119, 309, 332, 333, 334, 335 (portion with CII underlying zoning), 357, 358, 359, 360, 376, 377A, and 377B.



Warrant Article Questionnaire Non Standard Town Agency Articles

Section III – Questions with Response Boxes – To Be Completed By Petition Sponsor

Article 35	Date Form Completed: 9/15/19
Article Title: Amend Zoning Bylaws: Retail Marijuana Overlay Districts	
Sponsor Name: Planning Board (Evans)	Email: tevens.pb@natickma.org

Question	Question																												
1	Provide the article motion exactly as it will appear in the Finance Committee Recommendation Book and presented to Town Meeting for action.																												
Response	Full text at end of questionnaire																												
2	At a summary level and very clearly, what is the proposed purpose and objective of this Warrant Article and the accompanying Motion?																												
Response	This article is substantially a corrective measure. It seeks to correct and revise the lots designated for inclusion in two of the Retail Marijuana Overlay Districts as voted by a prior Town Meeting																												
3	Has this article or one of a very similar scope and substance been on a previous Warrant Article and what has been the actions taken by Finance Committee, other Boards or Committees and Town Meeting?																												
Response	<table border="1"> <thead> <tr> <th>Warrant Period</th><th>Other Committees</th><th>FinCom Action</th><th>Town Meeting</th></tr> </thead> <tbody> <tr> <td>SATM 2019</td><td></td><td></td><td></td></tr> <tr> <td>FTM 2018</td><td></td><td></td><td></td></tr> <tr> <td>SATM 2018</td><td></td><td></td><td></td></tr> <tr> <td>FTM 2017</td><td></td><td></td><td></td></tr> <tr> <td>STM #2 2018</td><td></td><td>Art 2, Fav Action</td><td>Art 2, Fav Action</td></tr> <tr> <td></td><td></td><td></td><td></td></tr> </tbody> </table>	Warrant Period	Other Committees	FinCom Action	Town Meeting	SATM 2019				FTM 2018				SATM 2018				FTM 2017				STM #2 2018		Art 2, Fav Action	Art 2, Fav Action				
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4	Why is it required for the Town of Natick and for the Town Agency sponsor(s)?																												
Response	This article makes corrections and revisions to the list of lots voted for inclusion in the Golden Triangle overlay district (Motion A) and the Route 9 East Town Line overlay district (Motion B). Given the highly litigious nature of marijuana zoning in the Mass Land Court, it is imperative that our zoning designations be accurate.																												
5	Does this article require funding, how much, from what source of funds and under whose authority will the appropriation be managed and spent?																												
Response	No																												
6	Does this article act in any way in concert with, in support of, or to extend any prior action of Natick Town Meeting, Massachusetts General Laws or CMR's or other such legislation or																												

Warrant Article Questionnaire Non Standard Town Agency Articles

	actions? Does this article seek to amend, rescind or otherwise change any prior action of Natick Town Meeting?
Response	Yes, it reflects the intent of the Town Meeting vote on Article 2, Motions D and E, at STM #2 of 2018 with a fully accurate list of lots.
7	How does the proposed motion (and implementation) fit with the relevant Town Bylaws, financial and capital plan, comprehensive Master Plan, and community values as well as relevant state laws and regulations?
Response	Wholly consistent
8	Who are the critical participants in executing the effort envisioned by the article motion?
Response	Community and Economic Development Office, Building Department, and Town GIS manager
9	What steps and communication has the sponsor attempted to assure that: Interested parties were notified in a timely way and had a chance to participate in the process Appropriate Town Boards & Committees were consulted Required public hearings were held
Response	Planning Board public hearing of article scheduled for 9/18/19
10	Since submitting the article have you identified issues that weren't initially considered in the development of the proposal?
Response	No
11	If this Warrant Article is not approved by Town Meeting what are the consequences to the Town and to the sponsor(s)? Please be specific on both financial and other consequences?
Response	Potential litigation regarding lots that were inadvertently included or excluded

Warrant Article Questionnaire Non Standard Town Agency Articles

Motion A (Golden Triangle)

Move to amend the Town of Natick zoning map, as referenced under Section II-B Location of Districts (Zones) subsection 1, by revising the Retail Marijuana Overlay District (RMO) for the following properties as shown on Town Assessors' maps:

- Replace references to Map 17, Lot 1 and Map 25, Lots 276 and 277 with reference to Map 17, Lots 1H and 1R;
- Replace reference to Map 17, Lot 5D with Map 17, Lot 4D;
- Replace reference to Map 17, Lot 6 to Map 17, Lot 3E;
- Replace reference to Map 17, Lot 9E, with Map 17, Lot 9B;
- Replace reference to Map 23 Lot 1E with Map 23 Lot 1D;
- Insert after Map 24 Lot 89A the following: “(for a depth not to exceed 515 feet from the northern boundary of Lot 89A)”;
- Delete references to Map 24, Lots 89F, 89G, 89H, 89I, and 94AA; and
- Delete reference to Map 24, Lots 89CD, 89DA, and 89CE, and reference to Map 25 Lot 251A.

So that the list of properties in the district now reads as follows:

Golden Triangle Retail Marijuana Overlay District (RMO)

- Map 10 Lots 4, 5, and 6;
- Map 16 Lots 2, 2B, 2C, 3, 4B, 4D, 4Ab, and 4Abb;
- Map 17 Lots Map 17, Lots 1H, 1R, 3B, 3E, 4A, 4B, 4C, 4D, 5A, 5C, 5F, 5FA, 5FB, 5FC, 9A, 9D, 9E, and 20;
- Map 23 Lots 1A, 1D, 73, and 74;
- Map 24 Lots 91 (portion with CII underlying zoning), 94, 100, 101, 88A, 89A (for a depth not to exceed 515 feet from the northern boundary of Lot 89A), 89CA, 89E, 92A, 92C, 92D, and 94A;

Motion B (Rt. 9 East Town Line)

Move to amend the Town of Natick zoning map, as referenced under Section II-B Location of Districts (Zones) subsection 1, by revising the Retail Marijuana Overlay District (RMO) for the following properties as shown on Town Assessors' maps:

- Insert after Map 21 Lot 117B the following: “(portion with CII underlying zoning)”

So that the list of properties in the district now reads as follows:

Rt. 9 East Town Line Retail Marijuana Overlay District (RMO)

- Map 21 Lots 1, 8 (portion with CII underlying zoning), 114, 115, 116, 117A, 117B (portion with CII underlying zoning), 118, 119, 309, 332, 333, 334, 335 (portion with CII underlying zoning), 357, 358, 359, 360, 376, 377A, and 377B.

(Note: In the cases of Map 17, Lots 5D, 6, and 9A, there are no lots with these numbers in the Town Assessors' records. The designated lots that replace them were the ones that were intended to be listed.)

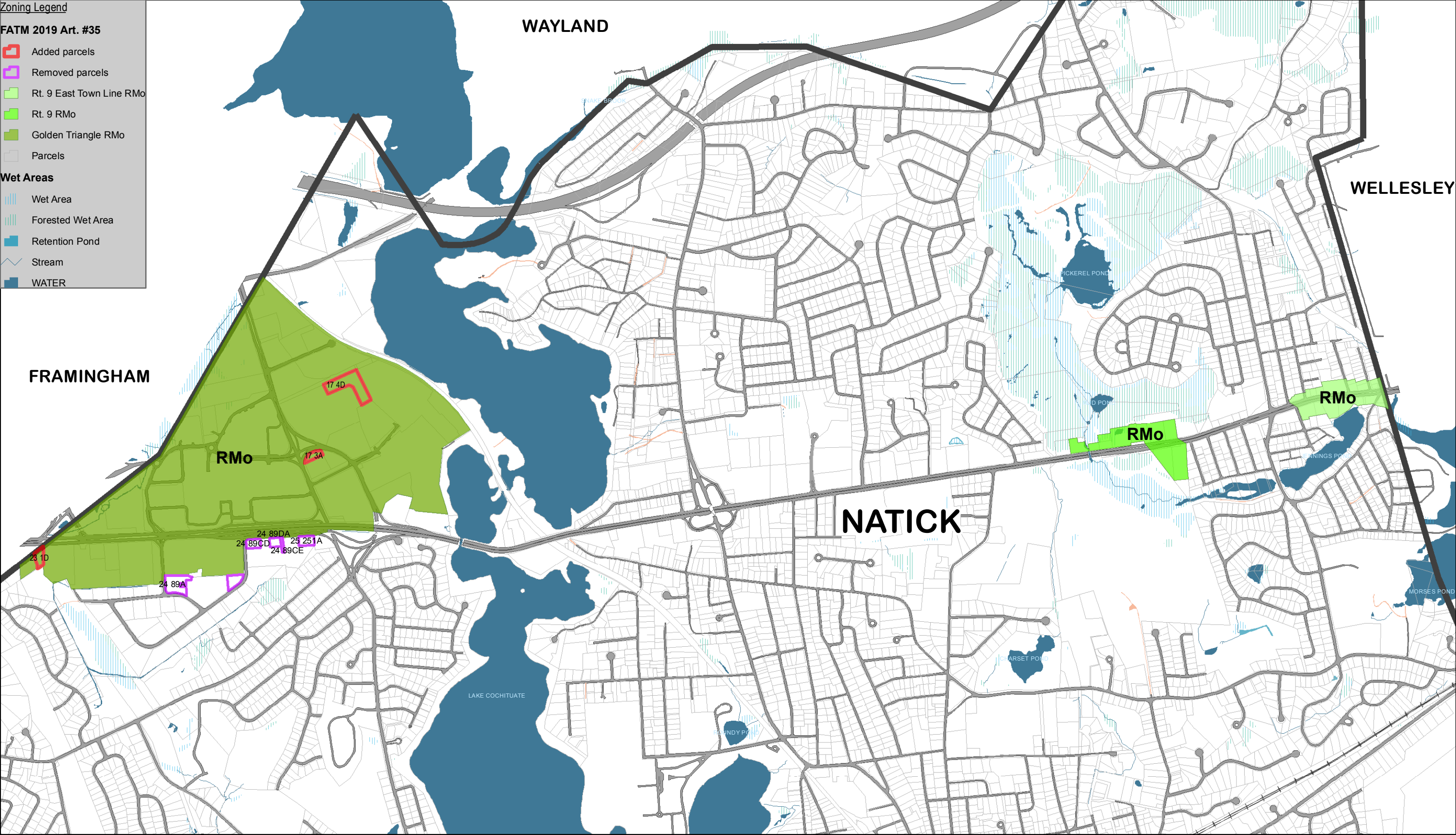
Zoning Legend

FATM 2019 Art. #35

- Added parcels
- Removed parcels
- Rt. 9 East Town Line RMo
- Rt. 9 RMo
- Golden Triangle RMo
- Parcels

Wet Areas

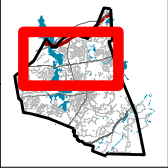
- Wet Area
- Forested Wet Area
- Retention Pond
- Stream
- WATER



Natick MA: FATM 2019, Article 35: Amend Retail Marijuana Overlay Districts

Community & Economic Development Department

September 3, 2019 Map data derived from Natick municipal GIS and Assessors records. The Town of Natick is not responsible for any errors or omissions in the data on this map, which is subject to change without notice.



1 inch = 1,200 feet